

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated September 14, 2005, Claims 1-61 are pending in the application. Applicants respectfully request the Examiner for a reconsideration.

The allowability of Claims 33, 37, 45, 48, 52, and 61 if rewritten in independent form is acknowledged.

Claims 3-7 and 12-28 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In this rejection the Examiner states, "Regarding claims 3 and 12 the following subject matter 'first and second boost curves' are not disclosed in the specification or in the drawings, the specification does not reefer to a first boost curve or a second boost curve, it only refers to sets of boost curves or a single boost curve with letter labels."

Applicants respectfully submit that in paragraph 112, four boost curves B₁, B₂, B₃ and B₄ are separately described and separately illustrated. It should be noted that various boost curves may be used as described at the end of this paragraph. Thus, any two of the boost curves B₁, B₂, B₃ and B₄ may be used for the first boost curve and second boost curve. It is not important which of the boost curves are the first boost curve or second boost curve. Likewise, in the reverse direction, the boost curves C₁, C₂, C₃ and C₄ are also set forth. Therefore, Applicants respectfully believe there is clear support for the various boost curves and specifically the recitation of the words first and second. Applicants therefore respectfully request the Examiner to reconsider this rejection.

Claims 1, 2, 11, and 38-41 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Shimizu* (6,018,692). Applicants respectfully traverse.

Claim 1 is directed to a method for controlling the vehicle having a turning radius that includes the steps of determining a steering wheel angle, determining a steering wheel direction, determining a steering wheel angular rate, and applying brake-steer as a function of steering wheel angle, steering wheel angular rate, and steering wheel direction.

For a proper §102 rejection, each and every element of the claim must be present in the reference. Applicants admit that a steering wheel angle detecting means S1 is set forth. However, what is not set forth is determining a steering wheel direction. The Examiner points to the torque detector S2. However, Applicants can find no teaching or suggestion that the torque is used to determine the steering direction. It should be noted that those skilled in the art will

recognize the various sensors are absolute and thus they may not necessarily determine the direction of the torque. This is emphasized later on in paragraph 3, lines 30-40, which specifically set forth that a button is pushed to determine which direction to turn the vehicle and thus the torque detector is not used to determine a steering wheel direction. Even so, the Examiner fails to point out the step of "determining a steering wheel angular rate." Determining a steering wheel angular rate is not taught or suggested in the *Shimizu* reference. The Examiner fails to allege this. Likewise, Claim 1 recites applying brake-steer as a function of the steering wheel angle, steering wheel direction, and steering wheel angular rate. Applicants respectfully submit that applying brake-steer is not taught or suggested in the *Shimizu* reference. Applying brakes is taught, but applying brakes to help the vehicle steer (i.e., brake-steer) is not taught or suggested. Braking in *Shimizu* is only applied to help maintain the vehicle and stop the vehicle during automatic parking. The braking does not help the vehicle steer. Applicants therefore respectfully submit that each and every elements of Claim 1 is not taught or suggested in the *Shimizu* reference and therefore Applicants respectfully request the Examiner to reconsider the rejection of Claim 1.

Claims 2 and 11 are dependent upon Claim 1 and are also believed to be allowable for the same reasons set forth above.

Claim 38 recites determining a driver selectable mode, generating a steering enhanced signal in response to the driver selectable mode, and actuating at least one brake on one side of the vehicle in response to said steering enhanced signal to enhance the turning radius achieved by the steering mechanism. As mentioned above, Col. 3, lines 30-40, describe a driver selectable parking mode. However, no teaching or suggestion is provided to enhance the turning radius by the steering mechanism by applying at least one brake on one side of the vehicle. As mentioned above, the braking is applied to all the wheels of the vehicle to stop the vehicle rather than to assist the vehicle in steering. Therefore, Claim 38 is also not taught in the *Shimizu* reference.

Likewise, Claims 39-41 are dependent upon Claim 38 and are also believed to be allowable.

Claims 8-10, 29-32, 34, 35, 38-43, and 53-58 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Shimizu* in view of *Hidaka* (US Publication 2002/0005302).

As mentioned above, the *Shimizu* reference is missing several limitations of Claim 1. Claims 8-10 depend from Claim 1. The *Hidaka* reference also does not teach or suggest the missing elements. Therefore, Applicants respectfully request the Examiner to reconsider this rejection.

Claim 29 is an independent claim that specifically recites in a parking mode applying a first positive torque to a first driven wheel and simultaneously with the step of applying a first positive torque, applying a second positive torque greater than the first positive torque to a second wheel so the turning radius of the vehicle is reduced. Although applying a torque to prevent the vehicle from rolling downhill is described in the *Shimizu* reference, no teaching or suggestion is provided for applying a first positive torque and a second positive torque greater than the first positive torque so that the turning radius of the vehicle is reduced. Likewise, the *Hidaka* reference also does not teach or suggest this element.

Likewise, Claims 30-32, 34 and 35 are dependent upon Claim 29 and are also believed to be allowable.

Claim 38 is an independent claim directed to a method for enhancing the turning ability of the vehicle. Determining a driver selectable mode is set forth along with generating a steering enhanced signal in response to the driver selectable mode and actuating at least one brake on one side of the vehicle in response to said steering enhanced signal to enhance the turning radius achieved by the steering mechanism. As described above, no teaching or suggestion is provided for a driver selectable mode generating a steering enhanced signal to enhance the turning radius achieved by the steering mechanism. At most, the *Shimizu* reference teaches using the vehicle capabilities to automatically move into a parking position but does not enhance the steering capability of the vehicle. Therefore, Applicants respectfully request the Examiner to reconsider the rejection of Claim 38.

Likewise, Claims 39-43 are dependent upon Claim 38 and are also believed to be allowable.

Claim 53 recites an apparatus claim similar to that of Claim 29. Therefore, Claim 53 is also believed to be allowable for the same reasons set forth above with respect to Claim 29.

Claims 54-58 depend upon Claim 53 and are also believed to be allowable for the same reasons set forth above.

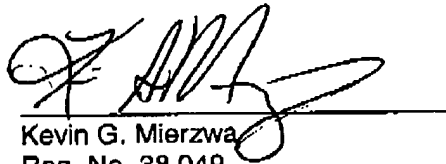
Claims 29, 36, 44, 46, 47, 49-51, 59, and 60 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Shimizu* in view of *Hidaka* as applied to Claim 38, in further view of *Watson* (US Publication 2001/0042652).

Although the *Watson* reference teaches an on demand vehicle drive system, no teaching or suggestion is provided for providing brake-steer or enhancing the steering capability of the vehicle. The *Shimizu* reference and *Hidaka* reference have several limitations that are not illustrated in the art as mentioned above. The *Watson* reference does not teach or suggest the missing elements. Applicants therefore respectfully request the Examiner to reconsider this

rejection as well.

In light of the above amendments and remarks, Applicants submit that all objections are now overcome. Applicants respectfully submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney. Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,



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